

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

TAMARA THOMAS,	§	
	§	
Plaintiff,	§	
v.	§	CIVIL ACTION NO. 4:22-CV-00872-
	§	SDJ-AGD
UNITED STATES OF AMERICA,	§	
	§	
Defendant.	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On September 6, 2023, the Report of the Magistrate Judge, (Dkt. #11), was entered containing proposed findings of fact and recommendation that Plaintiff’s Motion for Return of Property Pursuant to Rule 41(g) of the Federal Rules of Criminal Procedure (Dkt. #1) should be denied; that the Government’s Motion to Dismiss Complaint (Dkt. #3) should be granted; and that the case should be dismissed without prejudice under Federal Rule of Civil Procedure 12(b)(6).

The Court has conducted a de novo review of Plaintiff’s timely objections and the portions of the Report to which Plaintiff specifically objects. Having done so, the Court concludes that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit as to the ultimate recommendation of the

Magistrate Judge. The Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

It is therefore **ORDERED** Plaintiff's Motion for Return of Property Pursuant to Rule 41(g) of the Federal Rules of Criminal Procedure (Dkt. #1) is **DENIED**. It is further **ORDERED** that the Government's Motion to Dismiss Complaint (Dkt. #3) is **GRANTED** and that the case is **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 12(b)(6).

So ORDERED and SIGNED this 10th day of November, 2023.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE